

PROVISIONAL APPLICATION

IN THE NAME OF

Gary K. Michelson, M.D.

FOR

INTERBODY SPINAL IMPLANT WITH TRAILING  
END ADAPTED TO RECEIVE BONE SCREWS

FILED: 10/13/10

Prepared by:  
MARTIN & FERRARO, LLP  
14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
703-679-9300

ATTORNEY DOCKET NO. 101.0101-00000

U.S. EXPRESS MAIL LABEL NO. EJ123009796US

# INTERBODY SPINAL FUSION IMPLANT WITH TRAILING END ADAPTED TO LOCK BONE SCREWS

5

## BACKGROUND OF THE INVENTION

Implants adapted for use in the lumbar spine and the thoracic spine become much less usable in the cervical spine because of differences in anatomy. In the lumbar spine, the disc spaces are about 25% as tall as the vertebral bodies (i.e., the vertebral bodies are generally four times taller than the intervening disc space). In the cervical spine, the disc space can be 10 50% of the height of the vertebral bodies. The disc spaces in the cervical spine are generally not greater than 7 or 8 mm tall in most people.

10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100 105 110 115 120 125 130 135 140 145 150 155 160 165 170 175 180 185 190 195 200 205 210 215 220 225 230 235 240 245 250 255 260 265 270 275 280 285 290 295 300 305 310 315 320 325 330 335 340 345 350 355 360 365 370 375 380 385 390 395 400 405 410 415 420 425 430 435 440 445 450 455 460 465 470 475 480 485 490 495 500 505 510 515 520 525 530 535 540 545 550 555 560 565 570 575 580 585 590 595 600 605 610 615 620 625 630 635 640 645 650 655 660 665 670 675 680 685 690 695 700 705 710 715 720 725 730 735 740 745 750 755 760 765 770 775 780 785 790 795 800 805 810 815 820 825 830 835 840 845 850 855 860 865 870 875 880 885 890 895 900 905 910 915 920 925 930 935 940 945 950 955 960 965 970 975 980 985 990 995 1000 1005 1010 1015 1020 1025 1030 1035 1040 1045 1050 1055 1060 1065 1070 1075 1080 1085 1090 1095 1100 1105 1110 1115 1120 1125 1130 1135 1140 1145 1150 1155 1160 1165 1170 1175 1180 1185 1190 1195 1200 1205 1210 1215 1220 1225 1230 1235 1240 1245 1250 1255 1260 1265 1270 1275 1280 1285 1290 1295 1300 1305 1310 1315 1320 1325 1330 1335 1340 1345 1350 1355 1360 1365 1370 1375 1380 1385 1390 1395 1400 1405 1410 1415 1420 1425 1430 1435 1440 1445 1450 1455 1460 1465 1470 1475 1480 1485 1490 1495 1500 1505 1510 1515 1520 1525 1530 1535 1540 1545 1550 1555 1560 1565 1570 1575 1580 1585 1590 1595 1600 1605 1610 1615 1620 1625 1630 1635 1640 1645 1650 1655 1660 1665 1670 1675 1680 1685 1690 1695 1700 1705 1710 1715 1720 1725 1730 1735 1740 1745 1750 1755 1760 1765 1770 1775 1780 1785 1790 1795 1800 1805 1810 1815 1820 1825 1830 1835 1840 1845 1850 1855 1860 1865 1870 1875 1880 1885 1890 1895 1900 1905 1910 1915 1920 1925 1930 1935 1940 1945 1950 1955 1960 1965 1970 1975 1980 1985 1990 1995 2000 2005 2010 2015 2020 2025 2030 2035 2040 2045 2050 2055 2060 2065 2070 2075 2080 2085 2090 2095 2100 2105 2110 2115 2120 2125 2130 2135 2140 2145 2150 2155 2160 2165 2170 2175 2180 2185 2190 2195 2200 2205 2210 2215 2220 2225 2230 2235 2240 2245 2250 2255 2260 2265 2270 2275 2280 2285 2290 2295 2300 2305 2310 2315 2320 2325 2330 2335 2340 2345 2350 2355 2360 2365 2370 2375 2380 2385 2390 2395 2400 2405 2410 2415 2420 2425 2430 2435 2440 2445 2450 2455 2460 2465 2470 2475 2480 2485 2490 2495 2500 2505 2510 2515 2520 2525 2530 2535 2540 2545 2550 2555 2560 2565 2570 2575 2580 2585 2590 2595 2600 2605 2610 2615 2620 2625 2630 2635 2640 2645 2650 2655 2660 2665 2670 2675 2680 2685 2690 2695 2700 2705 2710 2715 2720 2725 2730 2735 2740 2745 2750 2755 2760 2765 2770 2775 2780 2785 2790 2795 2800 2805 2810 2815 2820 2825 2830 2835 2840 2845 2850 2855 2860 2865 2870 2875 2880 2885 2890 2895 2900 2905 2910 2915 2920 2925 2930 2935 2940 2945 2950 2955 2960 2965 2970 2975 2980 2985 2990 2995 3000 3005 3010 3015 3020 3025 3030 3035 3040 3045 3050 3055 3060 3065 3070 3075 3080 3085 3090 3095 3100 3105 3110 3115 3120 3125 3130 3135 3140 3145 3150 3155 3160 3165 3170 3175 3180 3185 3190 3195 3200 3205 3210 3215 3220 3225 3230 3235 3240 3245 3250 3255 3260 3265 3270 3275 3280 3285 3290 3295 3300 3305 3310 3315 3320 3325 3330 3335 3340 3345 3350 3355 3360 3365 3370 3375 3380 3385 3390 3395 3400 3405 3410 3415 3420 3425 3430 3435 3440 3445 3450 3455 3460 3465 3470 3475 3480 3485 3490 3495 3500 3505 3510 3515 3520 3525 3530 3535 3540 3545 3550 3555 3560 3565 3570 3575 3580 3585 3590 3595 3600 3605 3610 3615 3620 3625 3630 3635 3640 3645 3650 3655 3660 3665 3670 3675 3680 3685 3690 3695 3700 3705 3710 3715 3720 3725 3730 3735 3740 3745 3750 3755 3760 3765 3770 3775 3780 3785 3790 3795 3800 3805 3810 3815 3820 3825 3830 3835 3840 3845 3850 3855 3860 3865 3870 3875 3880 3885 3890 3895 3900 3905 3910 3915 3920 3925 3930 3935 3940 3945 3950 3955 3960 3965 3970 3975 3980 3985 3990 3995 4000 4005 4010 4015 4020 4025 4030 4035 4040 4045 4050 4055 4060 4065 4070 4075 4080 4085 4090 4095 4100 4105 4110 4115 4120 4125 4130 4135 4140 4145 4150 4155 4160 4165 4170 4175 4180 4185 4190 4195 4200 4205 4210 4215 4220 4225 4230 4235 4240 4245 4250 4255 4260 4265 4270 4275 4280 4285 4290 4295 4300 4305 4310 4315 4320 4325 4330 4335 4340 4345 4350 4355 4360 4365 4370 4375 4380 4385 4390 4395 4400 4405 4410 4415 4420 4425 4430 4435 4440 4445 4450 4455 4460 4465 4470 4475 4480 4485 4490 4495 4500 4505 4510 4515 4520 4525 4530 4535 4540 4545 4550 4555 4560 4565 4570 4575 4580 4585 4590 4595 4600 4605 4610 4615 4620 4625 4630 4635 4640 4645 4650 4655 4660 4665 4670 4675 4680 4685 4690 4695 4700 4705 4710 4715 4720 4725 4730 4735 4740 4745 4750 4755 4760 4765 4770 4775 4780 4785 4790 4795 4800 4805 4810 4815 4820 4825 4830 4835 4840 4845 4850 4855 4860 4865 4870 4875 4880 4885 4890 4895 4900 4905 4910 4915 4920 4925 4930 4935 4940 4945 4950 4955 4960 4965 4970 4975 4980 4985 4990 4995 5000 5005 5010 5015 5020 5025 5030 5035 5040 5045 5050 5055 5060 5065 5070 5075 5080 5085 5090 5095 5100 5105 5110 5115 5120 5125 5130 5135 5140 5145 5150 5155 5160 5165 5170 5175 5180 5185 5190 5195 5200 5205 5210 5215 5220 5225 5230 5235 5240 5245 5250 5255 5260 5265 5270 5275 5280 5285 5290 5295 5300 5305 5310 5315 5320 5325 5330 5335 5340 5345 5350 5355 5360 5365 5370 5375 5380 5385 5390 5395 5400 5405 5410 5415 5420 5425 5430 5435 5440 5445 5450 5455 5460 5465 5470 5475 5480 5485 5490 5495 5500 5505 5510 5515 5520 5525 5530 5535 5540 5545 5550 5555 5560 5565 5570 5575 5580 5585 5590 5595 5600 5605 5610 5615 5620 5625 5630 5635 5640 5645 5650 5655 5660 5665 5670 5675 5680 5685 5690 5695 5700 5705 5710 5715 5720 5725 5730 5735 5740 5745 5750 5755 5760 5765 5770 5775 5780 5785 5790 5795 5800 5805 5810 5815 5820 5825 5830 5835 5840 5845 5850 5855 5860 5865 5870 5875 5880 5885 5890 5895 5900 5905 5910 5915 5920 5925 5930 5935 5940 5945 5950 5955 5960 5965 5970 5975 5980 5985 5990 5995 6000 6005 6010 6015 6020 6025 6030 6035 6040 6045 6050 6055 6060 6065 6070 6075 6080 6085 6090 6095 6100 6105 6110 6115 6120 6125 6130 6135 6140 6145 6150 6155 6160 6165 6170 6175 6180 6185 6190 6195 6200 6205 6210 6215 6220 6225 6230 6235 6240 6245 6250 6255 6260 6265 6270 6275 6280 6285 6290 6295 6300 6305 6310 6315 6320 6325 6330 6335 6340 6345 6350 6355 6360 6365 6370 6375 6380 6385 6390 6395 6400 6405 6410 6415 6420 6425 6430 6435 6440 6445 6450 6455 6460 6465 6470 6475 6480 6485 6490 6495 6500 6505 6510 6515 6520 6525 6530 6535 6540 6545 6550 6555 6560 6565 6570 6575 6580 6585 6590 6595 6600 6605 6610 6615 6620 6625 6630 6635 6640 6645 6650 6655 6660 6665 6670 6675 6680 6685 6690 6695 6700 6705 6710 6715 6720 6725 6730 6735 6740 6745 6750 6755 6760 6765 6770 6775 6780 6785 6790 6795 6800 6805 6810 6815 6820 6825 6830 6835 6840 6845 6850 6855 6860 6865 6870 6875 6880 6885 6890 6895 6900 6905 6910 6915 6920 6925 6930 6935 6940 6945 6950 6955 6960 6965 6970 6975 6980 6985 6990 6995 7000 7005 7010 7015 7020 7025 7030 7035 7040 7045 7050 7055 7060 7065 7070 7075 7080 7085 7090 7095 7100 7105 7110 7115 7120 7125 7130 7135 7140 7145 7150 7155 7160 7165 7170 7175 7180 7185 7190 7195 7200 7205 7210 7215 7220 7225 7230 7235 7240 7245 7250 7255 7260 7265 7270 7275 7280 7285 7290 7295 7300 7305 7310 7315 7320 7325 7330 7335 7340 7345 7350 7355 7360 7365 7370 7375 7380 7385 7390 7395 7400 7405 7410 7415 7420 7425 7430 7435 7440 7445 7450 7455 7460 7465 7470 7475 7480 7485 7490 7495 7500 7505 7510 7515 7520 7525 7530 7535 7540 7545 7550 7555 7560 7565 7570 7575 7580 7585 7590 7595 7600 7605 7610 7615 7620 7625 7630 7635 7640 7645 7650 7655 7660 7665 7670 7675 7680 7685 7690 7695 7700 7705 7710 7715 7720 7725 7730 7735 7740 7745 7750 7755 7760 7765 7770 7775 7780 7785 7790 7795 7800 7805 7810 7815 7820 7825 7830 7835 7840 7845 7850 7855 7860 7865 7870 7875 7880 7885 7890 7895 7900 7905 7910 7915 7920 7925 7930 7935 7940 7945 7950 7955 7960 7965 7970 7975 7980 7985 7990 7995 8000 8005 8010 8015 8020 8025 8030 8035 8040 8045 8050 8055 8060 8065 8070 8075 8080 8085 8090 8095 8100 8105 8110 8115 8120 8125 8130 8135 8140 8145 8150 8155 8160 8165 8170 8175 8180 8185 8190 8195 8200 8205 8210 8215 8220 8225 8230 8235 8240 8245 8250 8255 8260 8265 8270 8275 8280 8285 8290 8295 8300 8305 8310 8315 8320 8325 8330 8335 8340 8345 8350 8355 8360 8365 8370 8375 8380 8385 8390 8395 8400 8405 8410 8415 8420 8425 8430 8435 8440 8445 8450 8455 8460 8465 8470 8475 8480 8485 8490 8495 8500 8505 8510 8515 8520 8525 8530 8535 8540 8545 8550 8555 8560 8565 8570 8575 8580 8585 8590 8595 8600 8605 8610 8615 8620 8625 8630 8635 8640 8645 8650 8655 8660 8665 8670 8675 8680 8685 8690 8695 8700 8705 8710 8715 8720 8725 8730 8735 8740 8745 8750 8755 8760 8765 8770 8775 8780 8785 8790 8795 8800 8805 8810 8815 8820 8825 8830 8835 8840 8845 8850 8855 8860 8865 8870 8875 8880 8885 8890 8895 8900 8905 8910 8915 8920 8925 8930 8935 8940 8945 8950 8955 8960 8965 8970 8975 8980 8985 8990 8995 9000 9005 9010 9015 9020 9025 9030 9035 9040 9045 9050 9055 9060 9065 9070 9075 9080 9085 9090 9095 9100 9105 9110 9115 9120 9125 9130 9135 9140 9145 9150 9155 9160 9165 9170 9175 9180 9185 9190 9195 9200 9205 9210 9215 9220 9225 9230 9235 9240 9245 9250 9255 9260 9265 9270 9275 9280 9285 9290 9295 9300 9305 9310 9315 9320 9325 9330 9335 9340 9345 9350 9355 9360 9365 9370 9375 9380 9385 9390 9395 9400 9405 9410 9415 9420 9425 9430 9435 9440 9445 9450 9455 9460 9465 9470 9475 9480 9485 9490 9495 9500 9505 9510 9515 9520 9525 9530 9535 9540 9545 9550 9555 9560 9565 9570 9575 9580 9585 9590 9595 9600 9605 9610 9615 9620 9625 9630 9635 9640 9645 9650 9655 9660 9665 9670 9675 9680 9685 9690 9695 9700 9705 9710 9715 9720 9725 9730 9735 9740 9745 9750 9755 9760 9765 9770 9775 9780 9785 9790 9795 9800 9805 9810 9815 9820 9825 9830 9835 9840 9845 9850 9855 9860 9865 9870 9875 9880 9885 9890 9895 9900 9905 9910 9915 9920 9925 9930 9935 9940 9945 9950 9955 9960 9965 9970 9975 9980 9985 9990 9995 10000 10005 10010 10015 10020 10025 10030 10035 10040 10045 10050 10055 10060 10065 10070 10075 10080 10085 10090 10095 10100 10105 10110 10115 10120 10125 10130 10135 10140 10145 10150 10155 10160 10165 10170 10175 10180 10185 10190 10195 10200 10205 10210 10215 10220 10225 10230 10235 10240 10245 10250 10255 10260 10265 10270 10275 10280 10285 10290 10295 10300 10305 10310 10315 10320 10325 10330 10335 10340 10345 10350 10355 10360 10365 10370 10375 10380 10385 10390 10395 10400 10405 10410 10415 10420 10425 10430 10435 10440 10445 10450 10455 10460 10465 10470 10475 10480 10485 10490 10495 10500 10505 10510 10515 10520 10525 10530 10535 10540 10545 10550 10555 10560 10565 10570 10575 10580 10585 10590 10595 10600 10605 10610 10615 10620 10625 10630 10635 10640 10645 10650 10655 10660 10665 10670 10675 10680 10685 10690 10695 10700 10705 10710 10715 10720 10725 10730 10735 10740 10745 10750 10755 10760 10765 10770 10775 10780 10785 10790 10795 10800 10805 10810 10815 10820 10825 10830 10835 10840 10845 10850 10855 10860 10865 10870 10875 10880 10885 10890 10895 10900 10905 10910 10915 10920 10925 10930 10935 10940 10945 10950 10955 10960 10965 10970 10975 10980 10985 10990 10995 11000 11005 11010 11015 11020 11025 11030 11035 11040 11045 11050 11055 11060 11065 11070 11075 11080 11085 11090 11095 11100 11105 11110 11115 11120 11125 11130 11135 11140 11145 11150 11155 11160 11165 11170 11175 11180 11185 11190 11195 11200 11205 11210 11215 11220 11225 11230 11235 11240 11245 11250 11255 11260 11265 11270 11275 11280 11285 11290 11295 11300 11305 11310 11315 11320 11325 11330 11335 11340 11345 11350 11355 11360 11365 11370 11375 11380 11385 11390 11395 11400 11405 11410 11415 11420 11425 11430 11435 11440 11445 11450 11455 11460 11465 11470 11475 11480 11485 11490 11495 11500 11505 11510 11515 11520 11525 11530 11535 11540 11545 11550 11555 11560 11565 11570 11575 11580 11585 11590 11595 11600 11605 11610 11615 11620 11625 11630 11635 11640 11645 11650 11655 11660 11665 11670 11675 11680 11685 11690 11695 11700 11705 11710 11715 11720 11725 11730 11735 11740 11745 11750 11755 11760 11765 11770 11775 11780 11785 11790 11795 11800 11805 11810 11815 11820 11825 11830 11835 11840 11845 11850 11855 11860 11865 11870 11875 11880 11885 11890 11895 11900 11905 119

vertebral bodies and two of the bone screws directed toward the other of the adjacent cervical vertebral bodies. Four such horizontally aligned bone screws having a head diameter of 5 mm each would require at least 20 mm for the screw heads alone. Further, with sufficient implant structure to surround each of those screw heads, the implant width would at a minimum be about 24 mm, which would exceed the desirable implant width for most cervical disc spaces. Staggering the bone screw receiving holes would be of some benefit, but of itself not an adequate solution to the problem described where it is desirable to maintain some symmetry of the screws to each other, the vertebrae, and the implant.

One prior art solution to the aforementioned problem teaches extending the height of the trailing end of the implant to make it taller than the disc space. An example of this is a flanged implant. The flanged implant makes it possible to place screws so that they can be vertically aligned and have sufficient structure of the implant to retain them. The flanged portion of the implant, however, extends outside of the disc space which may not be desirable in all circumstances. Further, these flanged implants may not be usable when it is needed to fuse multiple levels of the spine.

Accordingly, there exists a need for a spinal implant adapted to provide the advantages of a flanged implant for placement and orientation of bone screws associated therewith but without the flanged portion, or the necessity of the implant extending outside of the disc space.

## SUMMARY OF THE INVENTION

The present invention is directed to an interbody spinal implant, such as but not limited to a spinal fusion implant, spacers, motion preserving implants, or others. The implant has opposed upper and lower surfaces, one each for contacting each of the opposed vertebral

bodies adjacent a disc space. The implant is adapted to cooperatively receive at least two opposed bone screws, at least one screw each for insertion into each of the vertebral bodies adjacent a disc space. The interbody spinal implant is adapted to receive the bone screws through its trailing end and to allow for the passage of the leading end of the bone screws through at least a portion of the implant and out of the opposed upper or lower implant surfaces, one each respectively. The bone screws have a leading end, a shaft, threading upon the shaft, and a trailing end. The implant and the trailing end of the bone screw are adapted to cooperatively engage each other so as to prevent the further advance of the bone screws through the implant. At least a portion of the perimeter of the trailing ends of at least some of the bone screws protrude beyond at least one of the opposed upper or lower implant surfaces.

In one preferred embodiment, the trailing end is configured to permit a portion of the head of at least one bone screw to protrude beyond the height of the perimeter of the trailing end. The trailing end of the implant includes at least one bone screw receiving opening or hole that has a gap in the perimeter thereof for permitting at least a portion of the trailing end of a bone screw to protrude beyond the opposed upper or lower vertebral body engaging surfaces. The gap interrupts the perimeter of the bone screw receiving hole, so that the bone screw receiving hole has an incomplete perimeter or C-shape. The gap is sized such that it is less than half the diameter of the screw. By allowing the screws to each protrude over either the upper or lower edges of the implant trailing end, the upper and lower screws may be placed such that the maximum height of the implant trailing end is less than the sum of the maximum diameter of two bone screws adapted to be inserted in the bone screw receiving holes. This permits the use of larger bone screws in the trailing end of the implant than would otherwise be possible. Further, though not so limited, the present invention allows bone screws of the

optimal diameter to be inserted into and in part through the implant and into the adjacent vertebral bodies without the necessity of a portion of the implant itself extending beyond the disc space and outside of the spine.

5 The trailing end of the implant is configured to permit the bone screws for insertion into each of the adjacent vertebrae to be angled relative to each other, the implant trailing end, and to the implant upper and lower surfaces. The opposed bone screws preferably pull the anterior aspects of the vertebral bodies together toward the implant. The bone screws preferably penetrate into a portion of the vertebral body closest to the disc space into which the implant is being installed so as not to interfere with bone screws from a second implant being installed in an adjacent disc space where consecutive levels of the spine are being fused. In a preferred embodiment, the trailing end is configured to lag the bone screws so as to compress the vertebral bodies together and to load the vertebral body implant interface to promote fusion.

10 In certain preferred embodiments, the screws subtend an angle with the upper and lower surfaces so as to keep them confined to the lower half of the vertebral body above or the upper half of the vertebral body below the disc space to be fused.

15 In other preferred embodiments, the trailing end of the implant is configured to allow screws that are originating at or close to the vertical midline of the trailing end of the implant to be directed outward, or divergently oriented; and screws that originate further from the vertical midline of the trailing end of the implant to be directed inward, or convergently oriented. The screws that are convergently oriented are directed to one vertebral body and the screws that are divergently oriented are directed to the other adjacent vertebral body. Such an arrangement permits such implants when inserted into adjoining disc spaces to have convergently oriented screws from one implant and divergently oriented screws from the other

implant to be screwed into the same vertebral body and ensure that the screws do not interfere with one another. Such a configuration allows screws from different implants to pass each other within a vertebral body where both adjacent disc spaces are to be fused.

In any of these embodiments it is preferred though not required that the screws be retained to the implant by "locking mechanisms" which may include any of those known to those skilled in the art including, but not limited to, those taught by applicant, for example, U.S. Patent No. 6,139,550, titled "Skeletal Plating System," U.S. Application Serial No. 09/022,293 titled "Anterior Cervical Plating System, Instrumentation, and Method of Installation," and U.S. Application Serial No. 09/565,392 titled "Interbody Spinal Fusion Implants with Opposed Locking Screws", all of which are incorporated herein by reference. The trailing end of the implant may be configured to receive bone screws such that they are constrained within the bone screw receiving holes (i.e., fixing the trajectory of each bone screw), or left unconstrained within the bone screw receiving holes for allowing variable screw angles. If a locking mechanism is used, the screws may start out constrained within the bone screw receiving holes and remain so when locked. Alternatively, the screws may start out unconstrained prior to locking them, and upon being locked, may be constrained by the screw lock or left unconstrained by the screw lock. Examples are described below.

If it is desired to have the bone screws constrained in the bone screw receiving holes then the bone screw receiving holes may be adapted to capture the screws. Preferably, an interference fit is formed between the wall of the bone screw receiving hole and the screw to prevent the screws from moving within the bone screw receiving hole.

The screws may also be self-locking with cooperative mating threads between the screw head and the bone screw receiving hole. An example of a preferred self-locking bone

screw may be found in applicant's Application Serial No. 09/565,392 titled "Spinal Implant with Vertebral Endplate Engaging Anchor" incorporated herein by reference.

If it is desired that the bone screws are unconstrained then the bone screws may have a rounded head portion and/or a reduced neck diameter to permit movement of the bone screws so as to allow the angle between the implant and the bone screw to be variable.

If it is desired to lock the bone screw, the locking mechanism may be adapted to leave the bone screw constrained or unconstrained by adapting the interior surface of the locking mechanism accordingly. For example, the end of a screw lock facing a screw head may be concave to accommodate a round screw head, thereby allowing an unconstrained screw to be locked to the implant, yet still permit variable screw angles relative to the implant.

Alternatively, the locking mechanism may be configured to constrain an unconstrained bone screw by having the lock forcefully bear upon the screw head.

Although bone screw locks are preferred, the invention is not so limited. Bone screws need not be locked to the implant, but simply may have, for example, a stop or shoulder for stopping the progress of a bone screw through the implant beyond a certain point along the bone screw length.

The bone screw heads are preferably but not necessarily flush or slightly below the exterior surface of the trailing end of the implant when fully installed so as not to substantially protrude therefrom as into delicate anatomical structures that may be present proximate the exterior surface of the trailing end of the implant.

The implant of the present invention is useful throughout the spine, including the cervical, thoracic, and lumbar portions, and depending upon the location, may be inserted from the anterior, posterior, or lateral aspects of the spine.

Many of the preferred embodiments of the present invention have one or more of the following advantages over the prior art. One advantage is a more shallow screw angle between the screw and the implant. A more shallow screw angle provides the screws with additional anchoring force. The ability of the screw to anchor in the bone is proportional to the amount of threaded surface area. As the screw gets longer, its bite gets better. Therefore, a more shallow screw angle permits the screw to stay in a short height body longer.

Another advantage is that by starting with the screw close to the implant surface and having the screw exit the implant sooner, less of the screw will be in the implant, thereby providing more space within the implant for fusion promoting substances or other desired contents.

A further advantage is the accommodation of the trailing ends of bone screws within the depth of the disc space to reduce the risk of damage to adjacent delicate structures, including but not limited to proximate vascular and neurological structures within the body. Parts of implants extending beyond the depth of the disc space may have a risk of damaging these adjacent delicate structures. It should be understood that the accommodation of the trailing ends of bone screws within the depth of the disc space is a preferred embodiment only and that the invention is not so limited.

A further advantage is the ability of the bone screws to exit the implant quicker and engage an adjacent vertebral body. A trailing end of a bone screw that is closer to the equator of the implant (i.e., the horizontal mid-line of the trailing end) and further from the opposed upper or lower surfaces of the implant takes longer for the threaded portion of the screw to leave the implant. In contrast, the present invention in one or more preferred embodiments allows the threaded portion of a bone screw to leave the implant sooner at a shallower angle



and to thereby have additional threaded length than otherwise would be achieved if more of the threaded portion were within the trailing end of the implant.

While the above-described configurations are preferred for various advantages they do not in any way limit the breadth of the present invention, which is limited only by the claims.

5

### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a trailing end perspective view of an embodiment of the spinal implant of the present invention.

FIG. 2 is a top plan view of the spinal implant of FIG. 1.

FIG. 3 is a side elevation view of the spinal implant of FIG. 1.

FIG. 4 is a trailing end elevation view of the spinal implant of FIG. 1.

FIG. 5 is a side elevation view of an embodiment of the spinal implant of the present invention shown being inserted into an implantation space formed across the disc space between two adjacent vertebral bodies of the spine shown in partial cross-section.

FIG. 6 is a side elevation view of a drill and drill guide for forming bone screw receiving openings into adjacent vertebral bodies corresponding to bone screw receiving holes in the trailing end of the spinal implant of the present invention implanted between two adjacent vertebral bodies shown in partial cross-section.

FIG. 7 is a top plan view of the spinal implant of FIGS. 1-4 in the inserted position with bone screws installed and one of the adjacent vertebral bodies shown.

FIG. 8 is a trailing end elevation view of the spinal implant of FIGS. 1-4 installed between two adjacent vertebral bodies shown in hidden line with the locking mechanisms in the unlocked position.

FIG. 9 is an exploded view of the spinal implant of FIG. 8 and a driver holder instrument and locking tool for installing and locking the implant.

FIG. 10 is a top plan view in partial cross-section of the spinal implant of FIG. 8 and bone screws installed between two adjacent vertebral bodies with the driver holder instrument and locking tool locking one of the locking mechanisms of the implant in the inserted position with one of the adjacent vertebral bodies shown.

FIG. 11 is a trailing end elevation view of the spinal implant of FIG. 8 with the locking mechanisms shown locking all four bone screws to the implant.

#### DETAILED DESCRIPTION OF THE DRAWINGS

Reference will now be made in detail to the present preferred embodiments of this invention, examples of which are illustrated in the accompanying drawings. Similar reference numbers such as "102, 202" will be used throughout the drawings to refer to similar portions of different embodiments of the present invention.

As shown in FIGS. 1-4, a preferred embodiment of the spinal implant of the present invention is generally referred to by the numeral 100. As used herein, the term "implant" includes any device adapted for insertion between two adjacent vertebral bodies, for example only, spacers, bone dowels, and spinal fusion implants. Implant 100 has a leading end 102, an opposite trailing end 104, and sides 106 and 108 therebetween for connecting, spanning, or joining, ends 102, 104.

In a preferred embodiment, leading end 102 can be a portion of a circle and the implant width can be equal to that portion of the circle, or if a half circle, then the diameter of that circle. Alternatively, leading end 102 may be straight at least in part, and for example the straight part

can be at an approximately right angle to sides 106, 108 to form a generally rectangular or square shape. The configuration of the leading end of the implant of the present invention may be adapted to match the configuration of an implantation space formed across the disc space and into the adjacent vertebral bodies in accordance with U.S. Patent No. 6,159,214 titled  
5 "Milling Instrumentation and Method for Preparing a Space Between Adjacent Vertebral Bodies" and applicant's co-pending patent application Serial No. 09/490,901 titled "Instrument and Method for Creating an Intervertebral Space for Receiving an Implant," both of which are incorporated by reference herein.

10  
15  
20  
25  
30  
35  
40  
45  
50  
55  
60  
65  
70  
75  
80  
85  
90  
95  
100  
105  
110  
115  
120  
125  
130  
135  
140  
145  
150  
155  
160  
165  
170  
175  
180  
185  
190  
195  
200  
205  
210  
215  
220  
225  
230  
235  
240  
245  
250  
255  
260  
265  
270  
275  
280  
285  
290  
295  
300  
305  
310  
315  
320  
325  
330  
335  
340  
345  
350  
355  
360  
365  
370  
375  
380  
385  
390  
395  
400  
405  
410  
415  
420  
425  
430  
435  
440  
445  
450  
455  
460  
465  
470  
475  
480  
485  
490  
495  
500  
505  
510  
515  
520  
525  
530  
535  
540  
545  
550  
555  
560  
565  
570  
575  
580  
585  
590  
595  
600  
605  
610  
615  
620  
625  
630  
635  
640  
645  
650  
655  
660  
665  
670  
675  
680  
685  
690  
695  
700  
705  
710  
715  
720  
725  
730  
735  
740  
745  
750  
755  
760  
765  
770  
775  
780  
785  
790  
795  
800  
805  
810  
815  
820  
825  
830  
835  
840  
845  
850  
855  
860  
865  
870  
875  
880  
885  
890  
895  
900  
905  
910  
915  
920  
925  
930  
935  
940  
945  
950  
955  
960  
965  
970  
975  
980  
985  
990  
995  
1000  
1005  
1010  
1015  
1020  
1025  
1030  
1035  
1040  
1045  
1050  
1055  
1060  
1065  
1070  
1075  
1080  
1085  
1090  
1095  
1100  
1105  
1110  
1115  
1120  
1125  
1130  
1135  
1140  
1145  
1150  
1155  
1160  
1165  
1170  
1175  
1180  
1185  
1190  
1195  
1200  
1205  
1210  
1215  
1220  
1225  
1230  
1235  
1240  
1245  
1250  
1255  
1260  
1265  
1270  
1275  
1280  
1285  
1290  
1295  
1300  
1305  
1310  
1315  
1320  
1325  
1330  
1335  
1340  
1345  
1350  
1355  
1360  
1365  
1370  
1375  
1380  
1385  
1390  
1395  
1400  
1405  
1410  
1415  
1420  
1425  
1430  
1435  
1440  
1445  
1450  
1455  
1460  
1465  
1470  
1475  
1480  
1485  
1490  
1495  
1500  
1505  
1510  
1515  
1520  
1525  
1530  
1535  
1540  
1545  
1550  
1555  
1560  
1565  
1570  
1575  
1580  
1585  
1590  
1595  
1600  
1605  
1610  
1615  
1620  
1625  
1630  
1635  
1640  
1645  
1650  
1655  
1660  
1665  
1670  
1675  
1680  
1685  
1690  
1695  
1700  
1705  
1710  
1715  
1720  
1725  
1730  
1735  
1740  
1745  
1750  
1755  
1760  
1765  
1770  
1775  
1780  
1785  
1790  
1795  
1800  
1805  
1810  
1815  
1820  
1825  
1830  
1835  
1840  
1845  
1850  
1855  
1860  
1865  
1870  
1875  
1880  
1885  
1890  
1895  
1900  
1905  
1910  
1915  
1920  
1925  
1930  
1935  
1940  
1945  
1950  
1955  
1960  
1965  
1970  
1975  
1980  
1985  
1990  
1995  
2000  
2005  
2010  
2015  
2020  
2025  
2030  
2035  
2040  
2045  
2050  
2055  
2060  
2065  
2070  
2075  
2080  
2085  
2090  
2095  
2100  
2105  
2110  
2115  
2120  
2125  
2130  
2135  
2140  
2145  
2150  
2155  
2160  
2165  
2170  
2175  
2180  
2185  
2190  
2195  
2200  
2205  
2210  
2215  
2220  
2225  
2230  
2235  
2240  
2245  
2250  
2255  
2260  
2265  
2270  
2275  
2280  
2285  
2290  
2295  
2300  
2305  
2310  
2315  
2320  
2325  
2330  
2335  
2340  
2345  
2350  
2355  
2360  
2365  
2370  
2375  
2380  
2385  
2390  
2395  
2400  
2405  
2410  
2415  
2420  
2425  
2430  
2435  
2440  
2445  
2450  
2455  
2460  
2465  
2470  
2475  
2480  
2485  
2490  
2495  
2500  
2505  
2510  
2515  
2520  
2525  
2530  
2535  
2540  
2545  
2550  
2555  
2560  
2565  
2570  
2575  
2580  
2585  
2590  
2595  
2600  
2605  
2610  
2615  
2620  
2625  
2630  
2635  
2640  
2645  
2650  
2655  
2660  
2665  
2670  
2675  
2680  
2685  
2690  
2695  
2700  
2705  
2710  
2715  
2720  
2725  
2730  
2735  
2740  
2745  
2750  
2755  
2760  
2765  
2770  
2775  
2780  
2785  
2790  
2795  
2800  
2805  
2810  
2815  
2820  
2825  
2830  
2835  
2840  
2845  
2850  
2855  
2860  
2865  
2870  
2875  
2880  
2885  
2890  
2895  
2900  
2905  
2910  
2915  
2920  
2925  
2930  
2935  
2940  
2945  
2950  
2955  
2960  
2965  
2970  
2975  
2980  
2985  
2990  
2995  
3000  
3005  
3010  
3015  
3020  
3025  
3030  
3035  
3040  
3045  
3050  
3055  
3060  
3065  
3070  
3075  
3080  
3085  
3090  
3095  
3100  
3105  
3110  
3115  
3120  
3125  
3130  
3135  
3140  
3145  
3150  
3155  
3160  
3165  
3170  
3175  
3180  
3185  
3190  
3195  
3200  
3205  
3210  
3215  
3220  
3225  
3230  
3235  
3240  
3245  
3250  
3255  
3260  
3265  
3270  
3275  
3280  
3285  
3290  
3295  
3300  
3305  
3310  
3315  
3320  
3325  
3330  
3335  
3340  
3345  
3350  
3355  
3360  
3365  
3370  
3375  
3380  
3385  
3390  
3395  
3400  
3405  
3410  
3415  
3420  
3425  
3430  
3435  
3440  
3445  
3450  
3455  
3460  
3465  
3470  
3475  
3480  
3485  
3490  
3495  
3500  
3505  
3510  
3515  
3520  
3525  
3530  
3535  
3540  
3545  
3550  
3555  
3560  
3565  
3570  
3575  
3580  
3585  
3590  
3595  
3600  
3605  
3610  
3615  
3620  
3625  
3630  
3635  
3640  
3645  
3650  
3655  
3660  
3665  
3670  
3675  
3680  
3685  
3690  
3695  
3700  
3705  
3710  
3715  
3720  
3725  
3730  
3735  
3740  
3745  
3750  
3755  
3760  
3765  
3770  
3775  
3780  
3785  
3790  
3795  
3800  
3805  
3810  
3815  
3820  
3825  
3830  
3835  
3840  
3845  
3850  
3855  
3860  
3865  
3870  
3875  
3880  
3885  
3890  
3895  
3900  
3905  
3910  
3915  
3920  
3925  
3930  
3935  
3940  
3945  
3950  
3955  
3960  
3965  
3970  
3975  
3980  
3985  
3990  
3995  
4000  
4005  
4010  
4015  
4020  
4025  
4030  
4035  
4040  
4045  
4050  
4055  
4060  
4065  
4070  
4075  
4080  
4085  
4090  
4095  
4100  
4105  
4110  
4115  
4120  
4125  
4130  
4135  
4140  
4145  
4150  
4155  
4160  
4165  
4170  
4175  
4180  
4185  
4190  
4195  
4200  
4205  
4210  
4215  
4220  
4225  
4230  
4235  
4240  
4245  
4250  
4255  
4260  
4265  
4270  
4275  
4280  
4285  
4290  
4295  
4300  
4305  
4310  
4315  
4320  
4325  
4330  
4335  
4340  
4345  
4350  
4355  
4360  
4365  
4370  
4375  
4380  
4385  
4390  
4395  
4400  
4405  
4410  
4415  
4420  
4425  
4430  
4435  
4440  
4445  
4450  
4455  
4460  
4465  
4470  
4475  
4480  
4485  
4490  
4495  
4500  
4505  
4510  
4515  
4520  
4525  
4530  
4535  
4540  
4545  
4550  
4555  
4560  
4565  
4570  
4575  
4580  
4585  
4590  
4595  
4600  
4605  
4610  
4615  
4620  
4625  
4630  
4635  
4640  
4645  
4650  
4655  
4660  
4665  
4670  
4675  
4680  
4685  
4690  
4695  
4700  
4705  
4710  
4715  
4720  
4725  
4730  
4735  
4740  
4745  
4750  
4755  
4760  
4765  
4770  
4775  
4780  
4785  
4790  
4795  
4800  
4805  
4810  
4815  
4820  
4825  
4830  
4835  
4840  
4845  
4850  
4855  
4860  
4865  
4870  
4875  
4880  
4885  
4890  
4895  
4900  
4905  
4910  
4915  
4920  
4925  
4930  
4935  
4940  
4945  
4950  
4955  
4960  
4965  
4970  
4975  
4980  
4985  
4990  
4995  
5000  
5005  
5010  
5015  
5020  
5025  
5030  
5035  
5040  
5045  
5050  
5055  
5060  
5065  
5070  
5075  
5080  
5085  
5090  
5095  
5100  
5105  
5110  
5115  
5120  
5125  
5130  
5135  
5140  
5145  
5150  
5155  
5160  
5165  
5170  
5175  
5180  
5185  
5190  
5195  
5200  
5205  
5210  
5215  
5220  
5225  
5230  
5235  
5240  
5245  
5250  
5255  
5260  
5265  
5270  
5275  
5280  
5285  
5290  
5295  
5300  
5305  
5310  
5315  
5320  
5325  
5330  
5335  
5340  
5345  
5350  
5355  
5360  
5365  
5370  
5375  
5380  
5385  
5390  
5395  
5400  
5405  
5410  
5415  
5420  
5425  
5430  
5435  
5440  
5445  
5450  
5455  
5460  
5465  
5470  
5475  
5480  
5485  
5490  
5495  
5500  
5505  
5510  
5515  
5520  
5525  
5530  
5535  
5540  
5545  
5550  
5555  
5560  
5565  
5570  
5575  
5580  
5585  
5590  
5595  
5600  
5605  
5610  
5615  
5620  
5625  
5630  
5635  
5640  
5645  
5650  
5655  
5660  
5665  
5670  
5675  
5680  
5685  
5690  
5695  
5700  
5705  
5710  
5715  
5720  
5725  
5730  
5735  
5740  
5745  
5750  
5755  
5760  
5765  
5770  
5775  
5780  
5785  
5790  
5795  
5800  
5805  
5810  
5815  
5820  
5825  
5830  
5835  
5840  
5845  
5850  
5855  
5860  
5865  
5870  
5875  
5880  
5885  
5890  
5895  
5900  
5905  
5910  
5915  
5920  
5925  
5930  
5935  
5940  
5945  
5950  
5955  
5960  
5965  
5970  
5975  
5980  
5985  
5990  
5995  
6000  
6005  
6010  
6015  
6020  
6025  
6030  
6035  
6040  
6045  
6050  
6055  
6060  
6065  
6070  
6075  
6080  
6085  
6090  
6095  
6100  
6105  
6110  
6115  
6120  
6125  
6130  
6135  
6140  
6145  
6150  
6155  
6160  
6165  
6170  
6175  
6180  
6185  
6190  
6195  
6200  
6205  
6210  
6215  
6220  
6225  
6230  
6235  
6240  
6245  
6250  
6255  
6260  
6265  
6270  
6275  
6280  
6285  
6290  
6295  
6300  
6305  
6310  
6315  
6320  
6325  
6330  
6335  
6340  
6345  
6350  
6355  
6360  
6365  
6370  
6375  
6380  
6385  
6390  
6395  
6400  
6405  
6410  
6415  
6420  
6425  
6430  
6435  
6440  
6445  
6450  
6455  
6460  
6465  
6470  
6475  
6480  
6485  
6490  
6495  
6500  
6505  
6510  
6515  
6520  
6525  
6530  
6535  
6540  
6545  
6550  
6555  
6560  
6565  
6570  
6575  
6580  
6585  
6590  
6595  
6600  
6605  
6610  
6615  
6620  
6625  
6630  
6635  
6640  
6645  
6650  
6655  
6660  
6665  
6670  
6675  
6680  
6685  
6690  
6695  
6700  
6705  
6710  
6715  
6720  
6725  
6730  
6735  
6740  
6745  
6750  
6755  
6760  
6765  
6770  
6775  
6780  
6785  
6790  
6795  
6800  
6805  
6810  
6815  
6820  
6825  
6830  
6835  
6840  
6845  
6850  
6855  
6860  
6865  
6870  
6875  
6880  
6885  
6890  
6895  
6900  
6905  
6910  
6915  
6920  
6925  
6930  
6935  
6940  
6945  
6950  
6955  
6960  
6965  
6970  
6975  
6980  
6985  
6990  
6995  
7000  
7005  
7010  
7015  
7020  
7025  
7030  
7035  
7040  
7045  
7050  
7055  
7060  
7065  
7070  
7075  
7080  
7085  
7090  
7095  
7100  
7105  
7110  
7115  
7120  
7125  
7130  
7135  
7140  
7145  
7150  
7155  
7160  
7165  
7170  
7175  
7180  
7185  
7190  
7195  
7200  
7205  
7210  
7215  
7220  
7225  
7230  
7235  
7240  
7245  
7250  
7255  
7260  
7265  
7270  
7275  
7280  
7285  
7290  
7295  
7300  
7305  
7310  
7315  
7320  
7325  
7330  
7335  
7340  
7345  
7350  
7355  
7360  
7365  
7370  
7375  
7380  
7385  
7390  
7395  
7400  
7405  
7410  
7415  
7420  
7425  
7430  
7435  
7440  
7445  
7450  
7455  
7460  
7465  
7470  
7475  
7480  
7485  
7490  
7495  
7500  
7505  
7510  
7515  
7520  
7525  
7530  
7535  
7540  
7545  
7550  
7555  
7560  
7565  
7570  
7575  
7580  
7585  
7590  
7595  
7600  
7605  
7610  
7615  
7620  
7625  
7630  
7635  
7640  
7645  
7650  
7655  
7660  
7665  
7670  
7675  
7680  
7685  
7690  
7695  
7700  
7705  
7710  
7715  
7720  
7725  
7730  
7735  
7740  
7745  
7750  
7755  
7760  
7765  
7770  
7775  
7780  
7785  
7790  
7795  
7800  
7805  
7810  
7815  
7820  
7825  
7830  
7835  
7840  
7845  
7850  
7855  
7860  
7865  
7870  
7875  
7880  
7885  
7890  
7895  
7900  
7905  
7910  
7915  
7920  
7925  
7930  
7935  
7940  
7945  
7950  
7955  
7960  
7965  
7970  
7975  
7980  
7985  
7990  
7995  
8000  
8005  
8010  
8015  
8020  
8025  
8030  
8035  
8040  
8045  
8050  
8055  
8060  
8065  
8070  
8075  
8080  
8085  
8090  
8095  
8100  
8105  
8110  
8115  
8120  
8125  
8130  
8135  
8140  
8145  
8150  
8155  
8160  
8165  
8170  
8175  
8180  
8185  
8190  
8195  
8200  
8205  
8210  
8215  
8220  
8225  
8230  
8235  
8240  
8245  
8250  
8255  
8260  
8265  
8270  
8275  
8280  
8285  
8290  
8295  
8300  
8305  
8310  
8315  
8320  
8325  
8330  
8335  
8340  
8345  
8350  
8355  
8360  
8365  
8370  
8375  
8380  
8385  
8390  
8395  
8400  
8405  
8410  
8415  
8420  
8425  
8430  
8435  
8440  
8445  
8450  
8455  
8460  
8465  
8470  
8475  
8480  
8485  
8490  
8495  
8500  
8505  
8510  
8515  
8520  
8525  
8530  
8535  
8540  
8545  
8550  
8555  
8560  
8565  
8570  
8575  
8580  
8585  
8590  
8595  
8600  
8605  
8610  
8615  
8620  
8625  
8630  
8635  
8640  
8645  
8650  
8655  
8660  
8665  
8670  
8675  
8680  
8685  
8690  
8695  
8700  
8705  
8710  
8715  
8720  
8725  
8730  
8735  
8740  
8745  
8750  
8755  
8760  
8765  
8770  
8775  
8780  
8785  
8790  
8795  
8800  
8805  
8810  
8815  
8820  
8825  
8830  
8835  
8840  
8845  
8850  
8855  
8860  
8865  
8870  
8875  
8880  
8885  
8890  
8895  
8900  
8905  
8910  
8915  
8920  
8925  
8930  
8935  
8940  
8945  
8950  
8955  
8960  
8965  
8970  
8975  
8980  
8985  
8990  
8995  
9000  
9005  
9010  
9015  
9020  
9025  
9030  
9035  
9040  
9045  
9050  
9055  
9060  
9065  
9070  
9075  
9080  
9085  
9090  
9095  
9100  
9105  
9110  
9115  
9120  
9125  
9130  
9135  
9140  
9145  
9150  
9155  
9160  
9165  
9170  
9175  
9180  
9185  
9190  
9195  
9200  
9205  
9210  
9215  
9220  
9225  
9230  
9235  
9240  
9245  
9250  
9255  
9260  
9265  
9270  
9275  
9280  
9285  
9290  
9295  
9300  
9305  
9310  
9315  
9320  
9325  
9330  
9335  
9340  
9345  
9350  
9355  
9360  
9365  
9370  
9375  
9380  
9385  
9390  
9395  
9400  
9405  
9410  
9415  
9420  
9425  
9430  
9435  
9440  
9445  
9450  
9455  
9460  
9465  
9470  
9475  
9480  
9485  
9490  
9495  
9500  
9505  
9510  
9515  
9520  
9525  
9530  
9535  
9540  
9545  
9550  
9555  
9560  
9565  
9570  
9575  
9580  
9585  
9590  
9595  
9600  
9605  
9610  
9615  
9620  
9625  
9630  
9635  
9640  
9645  
9650  
9655  
9660  
9665  
9670  
9675  
9680  
9685  
9690  
9695  
9700  
9705  
9710  
9715  
9720  
9725  
9730  
9735  
9740  
9745  
9750  
9755  
9760  
9765  
9770  
9775  
9780  
9785  
9790  
9795  
9800  
9805  
9810  
9815  
9820  
9825  
9830  
9835  
9840  
9845  
9850  
9855  
9860  
9865  
9870  
9875  
9880  
9885  
9890  
9895  
9900  
9905  
9910  
9915  
9920  
9925  
9930  
9935  
9940  
9945  
9950  
9955  
9960  
9965  
9970  
9975  
9980  
9985  
9990  
9995  
10000  
10005  
10010  
10015  
10020  
10025  
10030  
10035  
10040  
10045  
10050  
10055  
10060  
10065  
10070  
10075  
10080  
10085  
10090  
10095  
10100  
10105  
10110  
10115  
10120  
10125  
10130  
10135  
10140  
10145  
10150  
10155  
10160  
10165  
10170  
10175  
10180  
10185  
10190  
10195  
10200  
10205  
10210  
10215  
10220  
10225  
10230  
10235  
10240  
10245  
10250  
10255  
10260  
10265  
10270  
10275  
10280

crs  
B<sub>1</sub>  
vertebral bodies to the other of the adjacent vertebral bodies at the fusion site.

In a preferred embodiment, trailing end 104 has an exterior surface 122 and an interior surface 124. At least exterior surface 122 may be curved to conform to at least a portion of the natural curvature of the anterior aspect of the vertebral bodies. For example, exterior surface 122 may be concave in a horizontal plane, in a vertical plane, or biconcave in both the vertical and horizontal planes. Exterior surface 122 may, but need not, correspond to the configuration of interior surface 124. In the preferred embodiment, exterior surface 122 is configured to eliminate sharp edges and corners to protect the adjacent delicate vascular and neurological structures within the body. For example, exterior surface 122 can be tapered at its exterior edges and can have rounded corners. The shape of trailing end 104 itself may be generally quadrilateral, circular, or any other shape useful for the intended purpose.

Trailing end 104 includes bone screw receiving holes 126 for receiving bone screws 128 for securing implant 100 to the adjacent vertebral bodies. Bone screw receiving holes 126 include a gap 130 in the perimeter of bone screw receiving holes 126 for permitting at least a portion of bone screw 128 to protrude beyond perimeter 132 of trailing end 104. Trailing end 104 may be straight, curved, or anatomically contoured. Gap 130 interrupts the perimeter of bone screw receiving holes 126, so that bone screw receiving holes 126 have an incomplete perimeter or C-shape. At least one of the bone screw receiving holes 126 is adapted to cooperatively engage the trailing end of bone screw 128 to allow at least a portion of the perimeter of the trailing end of at least one of the bone screws to protrude beyond at least one of the opposed upper and lower implant surfaces.

As used herein, the trailing end of a bone screw includes not less than that portion of the bone screw at the end opposite the leading end of the screw adapted to cooperatively

engage the implant to prevent its passage therethrough. The trailing end may include the head and/or shaft proximate to the head, for example, shaft 134 and head 138 as shown in FIG. 1. The bone screw heads are preferably but not necessarily flush or slightly below the exterior surface of the trailing end of the implant when fully installed so as not to protrude therefrom into anatomical structures that may be present proximate the exterior surface of the trailing end of the implant.

The trailing end of the implant may be configured to receive bone screws such that they are constrained within the bone screw receiving holes (i.e., fixing the trajectory of each bone screw), or left unconstrained within the bone screw receiving holes for allowing variable screw angles. Preferably, for a constrained configuration an interference fit is formed between the wall of the bone screw receiving hole and the screw to prevent the screws from moving within the bone screw receiving hole. Constrained screws may also be self-locking with cooperative mating threads between the screw head and the bone screw receiving hole.

If it is desired that the bone screws are unconstrained then the bone screws may have a rounded head portion and/or a reduced neck diameter to permit movement of the bone screws so as to allow the angle between the implant and the bone screw to be variable.

Bone screws need not be locked to the implant, but simply may have, for example, a shoulder for stopping the progress of a bone screw through the implant beyond a certain point along the bone screw length. It is appreciated that all the bone screws described herein may be self-tapping. Bone screw receiving holes 126 preferably contain a recessed portion 136 to accommodate screw head 138 so that screw head 138 does not substantially protrude away from the trailing end. Gap 130 is sized such that it is less than half the diameter of screw 128. By allowing screws 128 to protrude over edges 140, 142 of trailing end 104, upper and lower

screws may be placed such that the maximum height H of trailing end 104 is less than the sum of the maximum diameter of two bone screws adapted to be inserted in bone screw receiving holes 126.

Bone screw receiving holes 126 may be adapted to capture screws 128, thereby  
5 constraining the screws within trailing end 104. Alternatively, trailing end 104 can further include at least one locking mechanism 144 for locking the bone screws to implant 100. Although bone screw locks are preferred, the invention is not so limited.

In the various embodiments of the present invention, locking mechanisms 144 and trailing end 104 may be configured to either rigidly capture bone screws 128 so that their  
10 positions are fixed, or alternatively allow for the screw angles to be variable in an unconstrained state in which case the screw angles may remain variable when locked.

Locking mechanism 144 can be in the form of a screw or a rivet having a head for  
15 contacting and securing the bone screws to implant 100. Locking mechanism 144 may be capable of rotational movement relative to trailing end 104. Locking mechanism 144 includes a tool-engaging portion 146 for moving locking mechanism 144 from an unlocked to a locked position.

As best shown in FIGS. 1 and 4, locking mechanism 144 further includes removed  
20 portions 148 permitting the installation of bone screws into bone screw receiving holes 126 while locking mechanism 144 is in the unlocked position. In a preferred embodiment, locking mechanisms 144 can turn 180 degrees to be fully tightened. Locking mechanisms 144 can turn in the same direction or counter to one another. The bottom of the head of locking mechanism 144 can be of various shapes and, for example, can be ramped or concave. Further, as taught in applicant's Application Serial No. 09/565,392 titled "Spinal Implant with

Vertebral Endplate Engaging Anchor”, the present invention may be adapted to receive self-locking screws.

Locks 144 can work either to constrain screws 128 by fixing their positions, or in the alternative by preventing screws 128 from backing out without fixing the screws position so that the screws can allow for settling of the disc space (dynamization).

It is appreciated that the present invention includes the use of other screw locking mechanisms and devices such as would be used in other plate/screw or implant/screw devices and as would be known to one of ordinary skill in the art.

As shown in FIG. 9, trailing end 104 further includes alignment holes 150, 152 and threaded engagement hole 153 for engaging alignment pegs 154 and threaded driver 155, respectively from a driver instrument described below. Any other means of engaging the implant to assist in its insertion as would be known in the art is within the scope of the present invention.

A preferred origin and trajectory of bone screw receiving hole 126 is such that a surgeon can (but does not necessarily have to be able to) insert bone screws 128 through holes 126 to an optimal or desired depth without those bone screws crossing a plane bisecting the height of the adjacent vertebral body. An alternative embodiment may include top and bottom screws that are placed asymmetrically so as to be offset from one another so that the screws from such implants inserted into adjacent disc spaces pass each other in an intermediate vertebral body without hitting one another. For example, an implant may have two bone screws in the trailing end toward the outer sides and projecting through the upper surface and one bone screw in the middle of the trailing end projecting through the lower surface.

As shown in FIG. 5, implant 100 is inserted into an implantation space formed across the disc space into the adjacent vertebral bodies. Implant 100 is installed with leading end 102 inserted first into the disc space.

As shown in FIG. 6, bone screw receiving holes 126 may be formed into the adjacent vertebral bodies with a drill 156 and a drill guide 158, an awl, or other device. Drill 156 has a bone removing end 160 and a shaft 162. Drill guide 158 has a leading end 164 adapted for insertion into one of bone screw receiving holes 126 of trailing end 104. Leading end 164 has a smaller dimension 166, a larger dimension 168, and a shoulder 170 corresponding to the reduced dimension portions of bone screw receiving holes 126 that are configured to receive the head portion of bone screws 128. Drill guide 158 has an inner bore (not shown) that in one preferred embodiment is aligned with the central longitudinal axis of the bone screw receiving holes 126 when leading end 164 is properly seated therein. If it is desired to vary the angle of drill guide 158 to bone screw receiving holes 126, the tip of drill guide 158 may be rounded. In the alternative, the drill guide may screw into the bone screw receiving hole, or may attach to the implant by any other technique known in the art. Further, the openings into the bone may be formed with a spike or other device, or the screws may be inserted without first forming bores into the bone.

When drill guide 158 is seated within bone screw receiving hole 126, drill 156 passes through the inner bore to form a bone screw receiving opening into the bone of the adjacent vertebral bodies corresponding in alignment to bone screw receiving holes 126. In the preferred embodiment, bone screw receiving openings 126 are formed in the bone located at or proximate the junction of the two cortices of the vertebral bodies.

In the spinal implant of the present invention, the bone screws can be oriented in an



angular relationship to each other so as to be divergent along the vertical plane of the implant when installed into the adjacent vertebral bodies. The preferred angular divergence from the implant surface is preferably 25°-40°, but any angle useful for the intended purpose is within the scope of the present invention. In a preferred embodiment, screws 128 are angled such that they do not extend beyond half the height of the adjacent vertebral body. This ensures that screws of one implant will not contact the screws of an implant inserted in a neighboring disc space.

In the implant of the present invention, if lag screws are utilized or if there is a lagging implant to screw relationship, then the adjacent vertebral bodies are pulled toward implant 100 as bone screws 128 are installed into the vertebral bone to create a compressive load on the implant. Further, the angling of bone screws 128, keeps the anterior portion of the adjacent vertebral bodies together during extension movement of the spine such as would occur when a patient leans backwards. Among the many advantages of the present invention, the anterior portions of the vertebral bodies adjacent implant 100 do not move apart as they are held in place by bone screws 128 inserted through trailing end 104, the back of the implant is not driven into the vertebral bodies with spinal extension, and the compressive load is safely distributed over the entire length of the interbody portion of the implant.

FIG. 7 shows a top plan view of implant 100 installed within the disc space between two adjacent vertebral bodies and bone screws 128 installed in trailing end 104. In a preferred embodiment, bone screws 128 are toed-in toward each other. It is appreciated, however, that bone screws 128 need not be toed-in but may be parallel, diverging, or have any other desired orientation to one another. It is further appreciated that only a single screw or three or more screws can be used to secure the implant to each of the adjacent vertebral bodies instead of

the two screws shown in FIG. 7.

FIG. 8 is a trailing end elevation view of spinal implant 100 installed between two adjacent vertebral bodies with locking mechanisms 144 shown in the unlocked position and bone screws 128 in place. Upper bone screws 128 are converging while lower bone screws 128 are diverging. If two such implants are placed into consecutive disc spaces, converging upper bone screws 128 of one implant and diverging lower bone screws 128 of the other implant would not interfere with each other because of the difference in angulation of the respective bone screws.

As shown in FIG. 9, implant 100 can be installed with driver instrumentation 172 for both holding the implant so as to be useful for insertion and for preventing torquing of the implant when the locks are secured in their locked position. Driver instrumentation 172 has a blocker portion 174 for cooperatively engaging trailing end 104 of implant 100. Blocker 174 has a leading arcuate surface 176 that may be configured to conform at least in part to the contour of trailing end 104. Driver instrumentation 172 has a shaft 178 extending from blocker 174 with of an inner bore 180 along the longitudinal axis of shaft 178. Extending from blocker 174 are a pair of alignment pegs 154 and threaded driver shaft 155 for cooperatively engaging alignment holes 150, 152 and threaded hole 153, respectively, in trailing end 104. Blocker 174 has openings 182 that are coaxially aligned with locking mechanisms 144, respectively. Openings 182 are configured to receive a locking tool 184 therethrough for accessing and operating locking mechanisms 144. Instrumentation 172 allows the surgeon to tighten locking mechanisms 144 against the blocker 174 instead of torquing the spine of the patient.

Driver instrument 172 and blocker 174 are shown as an example of insertion instrumentation with the understanding that any inserter or a blocker or combined inserter and

blocker known to one of ordinary skill in the art and useful for the intended purpose is within the scope of the present invention.

FIG. 10 shows a top plan view in partial cross-section of spinal implant 100 installed between two adjacent vertebral bodies and coupled to the driver instrumentation 172 with tool 184 (such as a screw driver) shown locking the locking mechanism 144 (a rivet) to secure bone screws 128 to trailing end 104. It is appreciated that locking mechanism 144 could be a rivet, screw, or the like.

FIG. 11 is a trailing end elevation view of spinal implant 100 installed between two adjacent vertebral bodies with locking mechanisms 144 shown in the locked position in the direction of the arrows to lock bone screws 128 to trailing end 104. It should be understood that either clockwise or counter-clockwise rotational direction can be used for locking screws 128.

Other embodiments of the invention will be apparent to those skilled in the art from consideration of the specification and practice of the invention disclosed herein. It is intended that the specification and examples be considered as exemplary only, with a true scope and spirit of the invention being indicated by the following claims.